

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
Joe F. Corcoran
MAY 19 2006
JOHN F. CORCORAN, CLERK
BY: *H. Turk*
DEPUTY CLERK

JACOB E. FRITH, II;)
and) Civil Action No. 4:05CV00074
JAMES B. FRITH, JR.;)
and)
FRITH CONSTRUCTION CO., INC.;) ORDER
and)
JAMES B. FRITH, JR. &)
ASSOCIATES, LLP;)
and) By: James C. Turk
GREAT NORTHERN NEKOOSA)
CORPORATION, a Maine Corp. doing)
business as J&J South-East, Inc.,)
Plaintiffs,)
v.)
MARTINSVILLE THERMAL, LLC,)
a Delaware Limited Liability Company;)
and)
THERMAL VENTURES, INC.,)
a Delaware Corporation;)
and)
THERMAL VENTURES, L.P.,)
a Delaware Limited Partnership;)
and)

THERMAL VENTURES, II, L.P.,
a Delaware Limited Partnership;
)
)
)
)
)
and
)
)
)
HOOKER FURNITURE CORP.;
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and
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)
)
RESURGENCE PROPERTIES, LLC;
)
)
)
and
)
)
EJS COMPANY,
)
Defendants.
)

In accordance with the accompanying memorandum opinion entered this day, it is and shall be **ORDERED** as follows:

(1) Defendants' motion to realign nominal defendants Hooker Furniture Corp., ResurgenceProperties, LLC, and EJS Company as parties plaintiff is **GRANTED**; and henceforth the title of the case will be the following:

Jacob E. Frith, II; James B. Frith, Jr.; Firth Construction Co., Inc.; James B. Frith, Jr. & Associates, LLP; Great Northern Nekoosa Corporation, a Maine Corp. doing business as J&J South-East, Inc.; Hooker Furniture Corp.; Resurgence Properties, LLC; and EJS Company.

Plaintiffs

Y₁

Martinsville Thermal, LLC, a Delaware Limited Liability Company; Thermal Ventures, Inc., a Delaware Corporation; Thermal Ventures, L.P., a Delaware Limited Partnership; and Thermal Ventures, II, L.P., a Delaware Limited Partnership.

Defendants.

(2) Plaintiffs' motion to remand this action to state court is **DENIED**.

The clerk is directed to realign nominal defendants Hooker Furniture Corp., Resurgence Properties, LLC, and EJS Company as parties plaintiff; and to send certified copies of this order

to all counsel for the parties.

ENTER: This 19th day of May, 2006.



SENIOR UNITED STATES DISTRICT JUDGE